

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

Case No. 4:19-MJ-133

BUCK BRUNE (1)
ANTHONY SCOTT SMITH (2)
ROYAL BRUCE RICHARDS (3)
JUSTIN PAUL SHAW (4)
WESLEY WAYNE WAKEFORD (5)
STEPHEN PAUL GRAYBILL (6)
MARK HAMMOND (7)
TAMMY SMITH (8)
ASHLEY GAHAGAN (9)
ALICIA BOULDIN (10)
HOLLY STAPLETON (11)
JASON CARTER (12)
KENNETH WAYNE BARBER (13)

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

FEB - 8 2019

CLERK U.S. DISTRICT COURT
By: _____
Deputy

CRIMINAL COMPLAINT

I, Kevin K. Brown, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

Conspiracy to Possess a Controlled Substance with Intent to Distribute

*Beginning in or before January 2018, and continuing until in or around February 2019, in the Fort Worth Division of the Northern District of Texas, defendants **Buck Brune, Anthony Scott Smith, Royal Bruce Richards, Justin Paul Shaw, Wesley Wayne Wakeford, Stephen Paul Graybill, Mark Hammond, Tammy Smith, Ashley Gahagan, Alicia Bouldin, Holly Stapleton, Jason Carter, Kenneth Wayne Barber** and others known and unknown, did knowingly and intentionally combine, conspire, confederate, and agree to engage in conduct in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), namely to possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, a schedule II controlled substance, in violation of 21 U.S.C. § 846.*

I, the undersigned Complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief, but are not inclusive of all the evidence or information in the case:

1. In July of 2018, members of the Wise County Sheriff's Office, with the assistance of the Drug Enforcement Administration and the Texas Department of Public Safety, initiated an investigation in to the methamphetamine trafficking of **Buck Brune** and others in Wise County, Texas.

2. During the course of the investigation, Investigators identified ***Buck Brune, Anthony Scott Smith, Royal Bruce Richards, Justin Paul Shaw, Wesley Wayne Wakeford, Stephen Paul Graybill, Mark Hammond, Tammy Smith, Ashley Gahagan, Alicia Bouldin, Holly Stapleton, Jason Carter, Kenneth Wayne Barber*** and others known and unknown as methamphetamine distributors in Wise, Jack, Parker, Tarrant, and Dallas County, Texas.

3. On or about April 16, 2018, officers with the Bridgeport Police Department, utilizing a Confidential Informant (CI), set up a controlled purchase of methamphetamine from Stephen Graybill (hereinafter **Graybill**). The CI established contact with **Graybill** utilizing the Facebook Messenger application and they agreed on a time and place to conduct the transaction. The CI then met up with Graybill and purchased the \$20.00 of methamphetamine. The CI turned the substance over to Bridgeport Officers who transported the substance to the police department. Officers conducted a presumptive test on the substance, which was positive for methamphetamine with a gross weight of .5 grams.

4. On or about June 2, 2018, officers with the Bridgeport Police Department responded to a narcotics complaint. The complainant stated that **Graybill** was at the location helping someone load a refrigerator into the back of a pickup truck. At some point after he observed this, the complainant stated that he discovered a small black headphone case lying on the ground where Graybill had been standing. At the time, he/she did not realize it belonged to Graybill. The complainant opened the case and observed numerous baggies including some that had a substance he/she believed to be methamphetamine. The complainant stated he/she observed Graybill appear to be frantically looking in the area that he/she found the case. The complainant stated that he/she waited until Graybill left to contact law enforcement. The complainant stated that he/she was the only person who touched the case. Officers conducted a presumptive test on the substance, which was positive for the known positive values of methamphetamine with a gross weight of 18.4 grams.

5. On or about July 31, 2018, Wise County Sheriff's Deputies interviewed Curtis Johanson in reference to methamphetamine distribution in Wise County, Texas. Johanson told Investigators that he (Johanson) received his methamphetamine from **Stephen Paul Graybill** at two locations in Bridgeport, Texas. Johanson stated that he would normally purchase 1/16 of an ounce to one full ounce of methamphetamine at a time. Johanson stated that the last time he had purchased an ounce of methamphetamine from Graybill was approximately 1 to 1 ½ months ago. Johanson stated that he would pay \$250.00 to \$300.00 per ounce of methamphetamine.

Johanson stated that he had observed Graybill purchase methamphetamine from **Anthony Scott Smith**. Johanson provided Investigators with the phone number used by Graybill.

6. On or about August 22, 2018, Wise County Sheriff's Deputies established surveillance on **Anthony Scott Smith**, driving his white Dodge pickup in Wise County, Texas. Deputies were monitoring Smith's movements and received information that he was at XXX Arunda Court (identified through the investigation as being **Buck Brune's** residence). Deputies followed Smith and observed Smith driving above the posted speed limit. A uniformed Deputy in a marked Sheriff's patrol unit initiated a traffic stop for the speeding violation. Once stopped, Smith was issued a warning citation for speeding. The Deputy then asked for consent to search Smith's vehicle. Smith refused consent for the search of the vehicle. The Deputy then deployed his K9 around the vehicle. The K9 alerted on the vehicle. An organized search of the vehicle was conducted and a digital scale with methamphetamine residue was found in the center console of the vehicle. Other Deputies searched the area believing Smith had thrown a package from the vehicle prior to the traffic stop. Deputies located a black bag in a ravine directly in the path Smith had driven prior to the traffic stop. The Deputies opened the black bag and found a large bag containing smaller baggies, three baggies containing suspected methamphetamine, a gram scale, and a methamphetamine pipe. Deputies conducted a presumptive test on the substance, which tested positive for the known positive values of methamphetamine with a gross weight of **72.0 grams**.

7. On or about August 22, 2018, a Reno Police Officer was working uniformed patrol in Reno, Texas. While working patrol the officer observed a silver Hyundai SUV being operated by a driver who was not wearing a seat belt. The Police officer conducted a stop on the vehicle. The driver of the vehicle was identified by his expired driver's license as **Kenneth Wayne Barber**. While speaking to Barber the Officer noticed that Barber was acting nervous. The Officer also noticed a faint smell of marijuana emitting from the vehicle. The Officer issued Barber a warning for the No Seat Belt violation and expired driver's license. The Officer asked Barber to step to the rear of the vehicle with him and asked Barber if he had a pipe on him. Barber then stated that sometimes after reporting to his probation officer, he would smoke marijuana with his cousin. Barber told the Officer that this was the reason he could smell marijuana in the vehicle. The Officer then performed a probable cause search of the vehicle. During the search, the Officer located a plastic baggie containing suspected methamphetamine between the driver's seat and the emergency brake. The officer conducted a presumptive test on the suspected methamphetamine, which was positive for the known positive values of methamphetamine with a gross weight of **29.0 grams**. The officer also seized Barber's phone. Officers later applied for a and received a search warrant for Barber's phone where they found drug related text conversations with **Buck Brune**.

8. Agents corroborated that Buck Brune is the listed owner of the residence located on XXX Arunda Court in Weatherford, TX. Investigators had received information that a male in Arunda was dealing methamphetamine.

On or about August 29, 2018, members of the Wise County Sheriff's Office conducted a trash pull at the residence of **Buck Gene Brune**. The Deputies took the trash to the Wise County Sheriff's Office where it was searched. The search of the trash revealed two large zip lock bags, one heat-sealed kilo wrapper with suspected methamphetamine, a medium sized zip lock bag with the corners cut off, and mail addressed to the target address.

Deputies conducted a presumptive test on the suspected methamphetamine. The test results were positive for the known positive values of methamphetamine.

9. On or about September 6, 2018, Wise County Sheriff's Deputies interviewed Steven Dale Rountree in reference to Methamphetamine distribution in Wise County, Texas. Rountree stated that he purchases methamphetamine from **Wesley Wakeford** but has purchased methamphetamine from **Stephen Graybill**. Rountree stated that he has been buying methamphetamine from Wesley Wakeford for one to one and a half years. Rountree stated that he purchases methamphetamine from Wakeford every day to every other day. Rountree stated that the amount he purchases depends on how much money he has. Rountree said he had purchased .25 grams of methamphetamine to an ounce of methamphetamine from Wakeford. Rountree provided the phone number used by Wakeford to Investigators.

10. On or about September 10, 2018, Wise County Sheriff's Deputies established surveillance on **Anthony Scott Smith**, driving his white Dodge pickup in Wise County, Texas. Deputies were monitoring Smith's movements and received information that Smith was at XXX Arunda Court, **Buck Brune's** residence. Deputies observed Smith commit a traffic violation.

A uniformed Deputy in a marked Sheriff's patrol unit initiated a traffic stop for the traffic violation. The Deputy identified Smith as the driver and sole occupant of the vehicle. A K9 unit arrived at the traffic stop and deployed the K9 around the vehicle. The K9 alerted. A probable cause search was then conducted on the vehicle. The Deputies located a grey lock box in the vehicle. The lock box contained several small deal baggies and a digital gram scale with white crystal residue. A field test was conducted on the residue from the digital scale. The test was positive for methamphetamine. Deputies searched the area believing Smith had thrown a package from the vehicle prior to the traffic stop. Deputies were able to locate a black bag. A search of the black bag revealed suspected methamphetamine, marijuana, deal baggies, and a methamphetamine-smoking pipe. Deputies seized Smith's Galaxy cellphone. Deputies conducted a presumptive test on the suspected methamphetamine, which was positive for the known positive values of methamphetamine with a gross weight of **176.61 grams**.

11. On or about September 11, 2018, members of the Wise County Sheriff's Office conducted a trash pull at the residence of **Wesley Wakeford**. The Deputies took the trash to the Wise County Sheriff's Office where it was searched. The search of the trash revealed a metal spoon with methamphetamine residue, a sandwich style, zip lock bag with suspected methamphetamine residue, and multiple hypodermic needles. Deputies conducted a presumptive test on the suspected methamphetamine. The test results were positive for the known positive values of methamphetamine.

12. On September 12, 2018, members of the Wise County Sheriff's Office conducted a trash pull at the residence of **Buck Gene Brune**. The Deputies took the trash to the Wise County Sheriff's Office where it was searched. The search of the trash revealed two large kilo wrappers containing suspected methamphetamine, unused dryer sheets, latex gloves, and a glass-smoking pipe with what appeared to be narcotic residue. Deputies conducted a presumptive test on the suspected methamphetamine. The test results were positive for the known positive values of methamphetamine.

13. On or about October 2, 2018, Wise County Sheriff's Deputies established surveillance on **Anthony Scott Smith**, driving his white Dodge pickup in Wise County, Texas. Deputies followed Smith and observed several traffic violations. Once in the City of Bridgeport, Texas, a uniformed Deputy in a marked Wise County Sheriff's Office unit conduct a traffic stop on Smith. Once stopped Smith exited the vehicle. Once out of the vehicle, Smith was asked for Consent to Search his vehicle, Smith denied consent. A K9 officer was contacted for assistance. A short time later, the K9 arrived at the location. The K9 was deployed around the vehicle and had a positive alert. An organized search of the vehicle was conducted. The search of the vehicle revealed the following, approximately 28 grams of suspected methamphetamine, a small amount of marijuana, and 20 hydrocodone pills. Deputies conducted a presumptive test on the substance, which was positive for methamphetamine with a gross weight of **28.5 grams**.

14. On or about October 10, 2018, a Deputy with the Wise County Sheriff's Office located a white Chevy Tahoe, which matched the description of a vehicle, which had been previously reported to law enforcement to be transporting methamphetamine.

The vehicle was parked at the Allsup's convenience store in Bridgeport, Texas. The Deputy noticed that the registration of the vehicle was expired. The Deputy decided to approach the vehicle and talk to the occupants. The driver was identified as Shaelynn Adams and the passenger was identified as **Justin Paul Shaw**. After speaking with the occupants, the Deputy asked Adams for Consent to Search the vehicle, which Adams did not grant. The Deputy then contacted a K9 for assistance. The K9 arrived at the scene within 10 minutes. The K9 was deployed and alerted on the vehicle. A search of the vehicle was conducted. A black unlocked safe was located in the rear of the Tahoe. The safe contained numerous deal baggies, a glass methamphetamine-smoking pipe, and suspected methamphetamine. Deputies conducted a presumptive test on the substance, which was positive for methamphetamine with a gross weight of **33.3 grams**. During a post Miranda interview **Justin Shaw** admitted to possessing methamphetamine and stated that, he was transporting the methamphetamine to **Holly Stapleton**¹.

15. On or about October 10, 2018, Wise County Sheriff's Deputies interviewed **Justin Paul Shaw** in reference to his arrest mentioned in the prior paragraph and his knowledge of the methamphetamine trafficking in Wise County, Texas. Shaw stated that he had picked up an ounce of methamphetamine from **Anthony Scott Smith** and was at the Allsup's to deliver the ounce of methamphetamine to **Holly Stapleton**. Shaw stated that Smith was selling methamphetamine to Marshall Coffman, **Mark Hammond**, **Stephen Graybill**, **Wes Wakeford**, **Holly Stapleton**, and others.

¹ Deputies with the Wise County Sheriff's Department identified Holly Stapleton and talked with her at the Allsups at the time of Shaw's arrest.

Shaw stated that Smith kept his methamphetamine in a safe, located in the kitchen of his residence. Shaw stated that he had observed approximately two pounds of methamphetamine in the safe. Shaw stated that he normally picks up one ounce of methamphetamine a day from Smith. Shaw stated that Smith was charging \$400.00 for an ounce of methamphetamine. Shaw provided Smith's new phone number, **Holly Stapleton**'s phone number, and several other phone numbers during the interview.

16. On or about October 11, 2018, Wise County investigators applied for and received a search warrant² to search **Anthony Smith**'s Facebook account. Anthony Smith's account shows **Buck Brune, Wesley Wakeford, Tammy Smith, Stephen Graybill, Holly Stapleton**, and others as friends. A review of the instant messages from the account revealed **Tammy Smith, Stephen Graybill**, and others discussing drug purchases. In one set of instant messages, **Tammy Smith** is telling Anthony Smith that his phone is tapped. Tammy Smith also advises Anthony Smith to tell "Smiley" to watch out he is next. Tammy Smith also advises Anthony Smith to delete the message once he reads it.

17. On or about November 6, 2018, Wise County Sheriff's Deputies interviewed **Ashley Gahagan** in reference to Methamphetamine distribution in Wise County, Texas. Gahagan stated that she was purchasing her methamphetamine from **Royal Bruce Richards**. Gahagan stated that she had seen Richards with approximately two pounds of methamphetamine.

² On October 11, 2018, State District Judge Brock Smith signed a search warrant for Anthony Smith's Facebook account.

Gahagan stated that she usually purchased two ounces of methamphetamine at a time from Richards. Gahagan stated that she would pay \$300.00 an ounce and \$160.00 for a ½ ounce of methamphetamine. Gahagan stated that she would in-turn sell the methamphetamine for \$450.00 to \$500.00 an ounce. Gahagan provided investigators with Richards' phone number. Gahagan also stated that Alesha Boudin purchased methamphetamine from Richards. Gahagan stated that when Richards' customers were ready to purchase methamphetamine he would drive to Wise County, Texas. Gahagan stated this happened on a daily bases.

18. On or about November 26, 2018, Wise County Sheriff's Deputies established surveillance on **Royal Bruce Richards**. Deputies observed Richards commit a traffic violation. Deputies contacted a marked Wise County Sheriff's unit and had Richards stopped for the traffic violation. The Deputy approached the vehicle and identified the driver as Richards. The Deputy issued Richards a warning for the traffic violation then ask Richards for consent to search the vehicle he was driving. Richards consented to the search of the vehicle. The Deputy then retrieved his K9 and conducted an open-air search around the vehicle. The K9 alerted on the driver's door of the vehicle. The Deputy advised Richards of the positive alert by the K9 on the vehicle and asked Richards if there were anything illegal in the vehicle. Richards told the Deputy that there was methamphetamine in the vehicle. An organized search of the vehicle was conducted. The search resulted in the seizure of the following: methamphetamine, cocaine, marijuana a detailed drug ledger.

Deputies conducted a presumptive test on the substance, which was positive for the known positive values of methamphetamine with a gross weight of **104.23 grams**. A review of the ledger revealed drug transactions involving co-conspirators **Ashley Gahagan, Alicia Bouldin, and Jason Carter**, among others.

19. On or about December 10, 2018, Wise County Sheriff's Deputies established surveillance on **Royal Bruce Richards**. Deputies observed Richards commit a traffic violation. Deputies contacted a marked Wise County Sheriff's unit and had Richards stopped for the traffic violation. The Deputy approached the vehicle and identified the driver as Richards. While the Deputy was waiting on traffic returns, the Deputy asked Richards for consent to search the vehicle, Richards denied. The K9, which was already on scene deployed around the vehicle for an open-air search. The K9 alerted on the vehicle. A search of the vehicle revealed suspected methamphetamine and a plastic baggie containing suspected methamphetamine residue. Deputies conducted a presumptive test on the suspected methamphetamine, which was positive for the known positive values of methamphetamine with a gross weight of **222.00 grams**.

20. On or about December 11, 2018, members of the Wise County Sheriff's Office conducted a trash pull at the residence of **Wesley Wakeford**. The Deputies took the trash to the Wise County Sheriff's Office where it was searched. The search of the trash revealed a plastic spoon with methamphetamine residue, a broken glass pipe, and multiple hypodermic needles. Deputies conducted a presumptive test on the suspected methamphetamine. The test results were positive for the known positive values of methamphetamine.

21. On or about December 12, 2018, members of the Wise County Sheriff's Office and the Bridgeport Police Department executed a search warrant³ at the residence of **Wesley Wakeford**. Wakeford was located in the residence and detained. An organized search of the residence was conducted. The following items were located in the residence, a plastic baggie containing suspected methamphetamine, a digital scale, a glass smoking pipe with residue, a spoon with residue, and a syringe containing suspected methamphetamine. Deputies conducted a presumptive test on the substance, which was positive for the known positive values of methamphetamine with a gross weight of **2.4 grams**.

22. On or about December 20, 2018, Wise County investigators applied for and received a search warrant⁴ to search **Anthony Smith's** Galaxy cellular telephone. A review of the text messages on the cellular phone revealed drug related conversations between **Stephen Graybill**, Vicki Wiggins, and others.

23. On or about January 3, 2019, Investigators with the Texas Department of Public Safety and the Wise County Sheriff's Office conducted a consent to search at **Royal Richards** residence located in Eules, Texas. During the organized search of the residence, suspected methamphetamine was found and seized. Investigators conducted a presumptive test on the substance, which was positive for the known positive values of methamphetamine with a gross weight of **42.0 grams**.

³ On December 11, 2018, State District Judge Brock Smith signed a search warrant to search Wesley Wakeford's residence.

⁴ On December 20, 2018, State District Judge Brock Smith signed a search warrant to search Anthony Smith's Galaxy cellular phone seized on September 10, 2018.

24. On or about January 3, 2019, Investigators with the Texas Department of Public Safety interviewed **Royal Richards**. Richards stated that he was selling methamphetamine **Alicia Bouldin, Ashley Gahagan, Jason Carter** and others. Richards stated that he would usually sell **Alicia Bouldin** two ounces of methamphetamine every other day from around September to the end of November 2018. Richards stated that he would usually sell Ashley Gahagan a half ounce of methamphetamine every other day from around September to end of November 2018. Richards stated that he sold methamphetamine to Jason Carter for three and a half to four months. Richards did not say how much or how often he would sell methamphetamine to Carter. Richards stated that he was selling his methamphetamine for \$350.00 an ounce. A review of the drug ledger previously seized from Richards, corroborated this methamphetamine trafficking.

25. On or about January 7, 2019, Wise County Sheriff's Deputies interviewed **Wesley Wayne Wakeford** in reference to Methamphetamine distribution in Wise County, Texas. During the interview, Wakeford admitted to purchasing methamphetamine from **Stephen Graybill, Anthony Smith, Justin Shaw, and Alicia Bouldin**. Wakeford would not elaborate on people he was selling the methamphetamine.

26. On or about January 13, 2019, an Officer with the Rhome Police Department conducted a traffic stop on **Jason Carter**. Ultimately, a K9 was called to the scene. The K9 was deployed around the vehicle and alerted. A search of the vehicle was then conducted. Officers located a black metal case wrapped in black electrical tape. Once the box was opened, suspected methamphetamine was located.

Officers conducted a presumptive test on the substance, which was positive for the known positive values of methamphetamine with a gross weight of **7.8 grams**.

27. On or about January 15, 2019, Investigators with the Wise County Sheriff's department conducted an interview with **Jason Carter**. During the interview, Carter admitted to distributing methamphetamine. Carter admitted to purchasing one ounce of methamphetamine from **Royal Richards** every day. Carter stated that Richards was also dealing methamphetamine to **Ashley Gahagan**.

28. On or about January 23, 2019, Wise County investigators applied for and received a search warrant⁵ to search Jason Carter's cellular telephone. A review of the text messages on the cellular phone revealed drug related texts to Jason Carter from **Mark Hammond**. It was noted by Investigators that Carter was erasing his texts messages on a regular basis.

29. On or about January 24, 2019, members of the Wise County Sheriff's Office executed a search warrant⁶ at the residence of **Mark Hammond**. Once the residence was secured, an organized search of the residence was conducted. During a search of the residence, a liquid substance was found and seized. Deputies conducted a presumptive test on the liquid substance which was positive for the known positive values of methamphetamine with a gross weight of **78.7 grams**.

⁵ On January 23, 2019, State District Judge Brock Smith signed a search warrant to search Jason Carter's LG cellular phone seized on January 13, 2019.

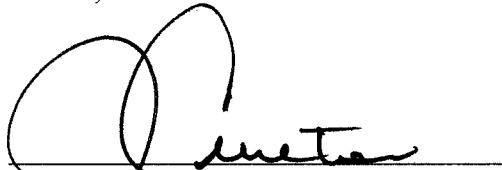
⁶ On January 23, 2019, State District Judge Brock Smith signed a search warrant to search Mark Hammond's residence.

Although I have not listed all the facts regarding this conspiracy, I believe that the facts stated above establish probable cause that the above-named defendants, ***Buck Brune, Anthony Scott Smith, Royal Bruce Richards, Justin Paul Shaw, Wesley Wayne Wakeford, Stephen Paul Graybill, Mark Hammond, Tammy Smith, Ashley Gahagan, Alicia Bouldin, Tammy Smith, Jason Carter, Kenneth Wayne Barber and others known and unknown***, have violated 21 U.S.C. § 846 and 21 U.S.C. § 841(a) (1) and (b) (1) (C).



Kevin K. Brown, Affiant
DEA - Task Force Officer

Sworn to before me, and subscribed in my presence on the 8th day of February, 2019, at 11:31 a.m., in Fort Worth, Texas.



JEFFREY L. CURETON
United States Magistrate Judge